

## REMARKS

In response to the Office Action dated June 13, 2006, Applicant respectfully requests reconsideration based on the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance. Claims 1-20 are pending in the application. Applicant thanks the Office for the detailed yet succinct analysis presented in the Office Action.

### The §102 Rejections

Claims 1-20 stand rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent Pub. No. 2002/0183059 to Noreen et al. (hereinafter, "Noreen"). Applicant respectfully traverses the rejections. Applicant has, however, amended this claim for the sole purpose of streamlining prosecution.

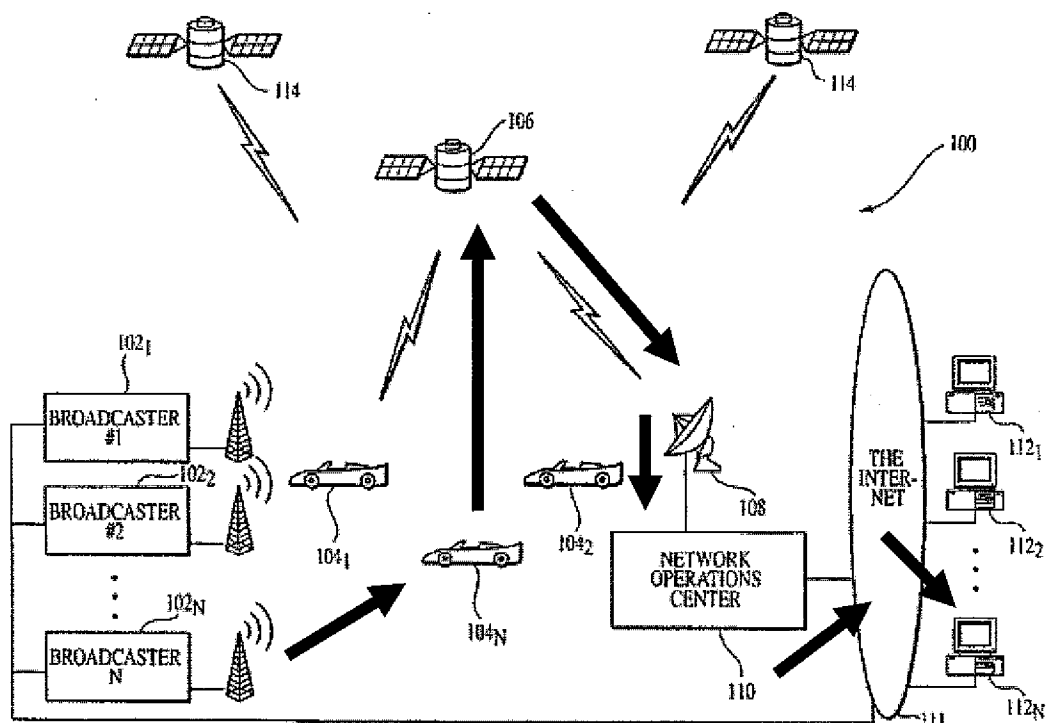
**Claim 1**, as amended, recites a system, comprising (emphasis added):

- a digital radio broadcast station having a transmitter and a server; and
- a receiver in communication with the digital radio broadcast transmitter, the receiver comprising a user interface for receiving user input commands comprising a request for information from the digital radio broadcast station, wherein the receiver is configured to establish a *two-way communication path between the receiver and the digital radio broadcast transmitter*,
- wherein the request for information is provided to the server via a network and the server is configured to receive the request and transmit a response message to the receiver in accordance with the request.

In making out a rejection of claim 1, the Office states that Noreen discloses all of the elements of the claim, including "wherein the receiver is configured to establish a two-way communication path between the receiver and the digital radio

1 broadcast transmitter". (*Office Action of 06/13/06*, p. 2-3). With due respect to  
2 the Office's viewpoint, Applicant disagrees.

3 In stating that Noreen discloses a "two-way communication path between  
4 the receiver and the digital radio broadcast transmitter", the Office cites to  
5 paragraphs 0046 and 0047 of Noreen, as well as Figure 1. Applicant submits,  
6 however, that the cited portions of Noreen fail to teach such a "two-way  
7 communication path". Noreen's Figure 1 is reproduced below and includes  
8 Applicant-inserted bolded arrows that correspond to the direction of signal  
9 broadcasts, as described by Noreen in paragraphs 0046 and 0047 and discussed  
10 below by Applicant.



1 As described by Noreen, Figure 1 illustrates a radio network 100 wherein  
2 signals broadcast by land-based radio broadcasters 102<sub>1-N</sub> are received by mobile  
3 units mounted within vehicles 104<sub>1-N</sub>. A user of the mobile unit may then transmit  
4 commands *"from the mobile unit[] via a communication satellite 106 to an*  
5 *interactive radio network ground station 108, which forwards the commands to an*  
6 *interactive radio network operations center 110."* In response to these  
7 commands, the operations center 110 provides information feedback to the users  
8 via computer network 111, with the information *"being received at individual*  
9 *[user] computers...or other interface device 112."* (Noreen, page 5, paragraph  
10 [0046]) (emphasis added).

11 Even assuming without conceding that the Office correctly identifies  
12 Noreen's radio broadcasters 102<sub>1-N</sub> as Applicant's digital radio broadcast  
13 transmitter and Noreen's mobile units located within vehicles 104<sub>1-N</sub> as  
14 Applicant's receiver, Applicant submits that the rejection would still be improper  
15 for failing to disclose a "two-way communication path between the receiver and  
16 the digital radio broadcast transmitter". As described above and shown in Figure  
17 1, Noreen *at most* describes a *one-way communication path* between broadcasters  
18 102<sub>1-N</sub> and vehicles 104<sub>1-N</sub>. The only communication between these two  
19 components is the transmission of broadcast signals *from* broadcasters 102<sub>1-N</sub> *to*  
20 vehicles 104<sub>1-N</sub>. The cited portions of Noreen, however, are entirely devoid of any  
21 communication *from* vehicles 104<sub>1-N</sub> *to* broadcasters 102<sub>1-N</sub>. The cited portions of  
22 Noreen thus fail to show a "two-way communication path" as claimed by  
23 Applicant. (emphasis added).

24 In other words—and as depicted by the arrows inserted into Figure 1  
25 above—while the broadcasters 102<sub>1-N</sub> may transmit signals to vehicles 104<sub>1-N</sub>, any

1 commands transmitted from a mobile unit by a user are sent to network operations  
2 center 110 via satellite 106—and *not* back to broadcasters 102<sub>1-N</sub>.

3 Applicant therefore submits that the Office fails to show how Noreen  
4 discloses all of the elements of Applicant's claim 1, as is required to state a *prima*  
5 *facie* case of anticipation. For at least this reason, Applicant respectfully requests  
6 the rejection to be withdrawn.

7 **Claims 2-20** depend from claim 1 and are allowable as depending from an  
8 allowable base claim. These claims are also allowable for their own recited  
9 features which, in combination with those recited in claim 1, are neither disclosed  
10 nor suggested in Noreen.

11  
12 **Conclusion**

13 The Applicant respectfully requests reconsideration and withdrawal of the  
14 rejections of claims 1-20 and favorable action on the subject application. If any  
15 issue remains unresolved that would prevent allowance of this case, the Examiner  
16 is requested to contact the undersigned agent to resolve the issue.

17  
18 Respectfully Submitted,

19 Date: 12-September-2006

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